

ORIGINAL

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED
IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA
W. YVONNE EVANS,
CLERK
DEPUTY CLERK

In re: INTERNATIONAL MANAGEMENT :
ASSOCIATES, LLC; INTERNATIONAL :
MANAGEMENT ASSOCIATES :
ADVISORY GROUP, LLC; :
INTERNATIONAL MANAGEMENT :
ASSOCIATES PLATINUM GROUP, LLC; :
INTERNATIONAL MANAGEMENT :
ASSOCIATES EMERALD FUND, LLC; :
INTERNATIONAL MANAGEMENT :
ASSOCIATES TAURUS FUND, LLC; :
INTERNATIONAL MANAGEMENT :
ASSOCIATES GROWTH & INCOME :
FUND, LLC; INTERNATIONAL :
MANAGEMENT ASSOCIATES SUNSET :
FUND, LLC; IMA REAL ESTATE FUND, :
LLC; PLATINUM II FUND, LP; :
EMERALD II FUND, LP, :
Debtors. :

Jointly Administered
Under Case No. 06-62966-
pwb

Chapter 11

Judge Bonapfel

WILLIAM F. PERKINS, in his capacity as
Chapter 11 Trustee of International
Management Associates, LLC and its
affiliated debtors,

Plaintiff,

v.

SMITH, GAMBRELL & RUSSELL, LLP
AND C. GLADWYN GOINS,

Defendants.

Adversary Proceeding
No. 08-06382-pwb

RELIEF IS SOUGHT
FROM A UNITED
STATES DISTRICT
COURT JUDGE

JURY TRIAL
DEMANDED

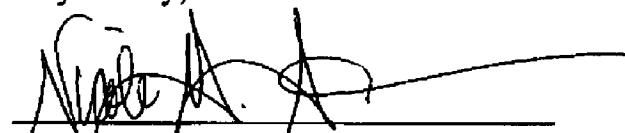
DEFENDANT SMITH, GAMBRELL & RUSSELL, LLP'S
MOTION TO WITHDRAW THE REFERENCE

7

Pursuant to 28 U.S.C. § 157(d) and Rule 5011 of the Federal Rules of Bankruptcy Procedure, Defendant Smith, Gambrell & Russell, LLP ("SGR") hereby moves the District Court to withdraw the reference of all claims against SGR in this adversary proceeding. For the reasons more fully stated in the accompanying Defendant Smith Gambrell & Russell's Brief in Support of Motion to Withdraw the Reference, which is incorporated herein by reference, cause exists to withdraw the reference. Both the Trustee plaintiff and SGR have demanded a jury trial in this noncore adversary proceeding (and SGR does not consent to the Bankruptcy Court conducting a jury trial). This action alleges only state law claims which allegedly arose prepetition and which are far removed from bankruptcy law such that more than sufficient cause exists to withdraw the reference to the District Court to protect SGR's constitutional rights and to ensure judicial efficiency. Defendant C. Gladwyn Goins does not object to this motion to withdraw the reference.

WHEREFORE, SGR respectfully requests that the District Court withdraw the reference of all claims in this adversary proceeding.

Respectfully submitted, this 25th day of July, 2008.



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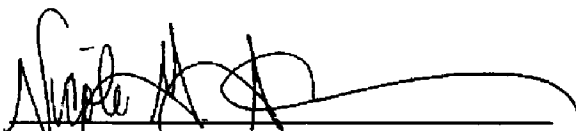
CERTIFICATE OF SERVICE

This is to certify that I have this date caused a true and correct copy of the foregoing **DEFENDANT SMITH, GAMBRELL & RUSSELL, LLP'S** **MOTION TO WITHDRAW THE REFERENCE** to be served on all counsel of record by United States First Class mail, addressed as follows:

Robert E. Shields, Esq.
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This 25th day of July, 2008.


Nicole G. Iannarone

U. S. BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

01116362 - JA
July 25, 2008

Code	Case No	Qty	Amount	By
ST1	08-06382		\$150.00	CK
Judge - Paul W. Bonapfel				
Debtor - INTERNATIONAL MANAGE				

TOTAL: \$150.00

FROM: Bondurant, Mixson & Elmore, LLP
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